

GLEN CANYON NATIONAL RECREATION AREA BOUNDARY
REVISION ACT OF 2002

JUNE 24, 2002.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 3786]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 3786) to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Glen Canyon National Recreation Area Boundary Revision Act of 2002”.

SEC. 2. GLEN CANYON NATIONAL RECREATION AREA BOUNDARY REVISION.

(a) IN GENERAL.—The first section of Public Law 92–593 (16 U.S.C. 460dd; 86 Stat. 1311) is amended—

(1) by striking “That in” and inserting “SECTION 1. (a) In”; and

(2) by adding at the end the following:

“(b)(1) In addition to the boundary change authority under subsection (a), the Secretary may acquire approximately 152 acres of private land in exchange for approximately 370 acres of land within the boundary of Glen Canyon National Recreation Area, as generally depicted on the map entitled ‘Page One Land Exchange Proposal’, number 608/60573a–2002, and dated May 16, 2002. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. Upon conclusion of the exchange, the boundary of the recreation area shall be revised to reflect the exchange.

“(2) Before the land exchange under this subsection, the Secretary may enter into a memorandum of understanding with the person that will acquire lands from the United States in the exchange, to establish such terms and conditions as are mutually agreeable regarding how those lands will be managed after the exchange.”.

(b) CHANGE IN ACREAGE CEILING.—Such section is further amended by striking “one million two hundred and thirty-six thousand eight hundred and eighty acres” and inserting “1,256,000 acres”.

PURPOSE OF THE BILL

The purpose of H.R. 3786 is to revise the boundary of the Glen Canyon National Recreation Area in the States of Utah and Arizona.

BACKGROUND AND NEED FOR LEGISLATION

The southern Utah land owner, Page One L.L.C. is in the process of developing approximately 1500 acres of private land adjacent to the Glen Canyon National Recreation Area located between U.S. Highway 89 and the Arizona border. Following months of negotiation between Page One and the National Park Service (NPS), agreement was reached regarding a mutually beneficial land exchange. H.R. 3786 would enable the private land owner to consolidate their property while permitting the NPS to better protect the viewshed of the NRA. In addition, the legislation would also correct the acreage ceiling to accurately reflect the present acreage in the boundary.

Currently, Page One owns approximately 152 acres of land between U.S. Highway 89 and the southwestern shore of Lake Powell. This private land features a primary viewshed corridor between the lake and highway, three established highway access right-of-ways, and a developed culinary water well producing 700 gallons per minute. According to an outside appraisal, the value of the private parcel is approximately \$836,000. The Park Service seeks to acquire this land in order to protect the scenic corridor and to establish a more manageable boundary at its most visited entrance. The 370 acres of NPS land are topographically isolated with no vehicular access, no right-of-way, no water rights and no site improvements. The appraised value of the NPS land, according to an outside appraisal is approximately \$480,000. Page One will donate the balance of the appraised value of \$356,000 to the NPS.

COMMITTEE ACTION

H.R. 3786 was introduced on February 26, 2002, by Congressman Chris Cannon (R-UT). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks, Recreation, and Public Lands. On May 7, 2002, the Subcommittee held a hearing on the bill. On May 22, 2002, the Full Committee met to consider the bill and the Subcommittee on National Parks, Recreation, and Public Lands was discharged from further consideration of the bill by unanimous consent. Mr. Cannon offered an amendment in the nature of a substitute to ensure that, upon enactment, the boundary of the NRA will be revised to reflect the exchange, to allow the Secretary of the Interior and the property owner to enter into a Memorandum of Understanding regarding how the lands will be managed after acquisition, and to correct the map reference to reflect the changes above. It was adopted by unanimous consent and the bill, as amended, was then ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, June 21, 2002.

Hon. JAMES V. HANSEN,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3786, the Glen Canyon National Recreation Area Boundary Revision Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Julie Middleton.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 3786—Glen Canyon National Recreation Area Boundary Revision Act of 2002

CBO estimates that implementing H.R. 3786 would cost about \$560,000, subject to the availability of appropriated funds. H.R.

3786 would authorize the Secretary of the Interior to acquire 152 acres of private land in exchange for 370 acres of land within the boundary of the Glen Canyon National Recreation Area. In addition, the bill would change the acreage ceiling of the Recreation Area to reflect the land exchange.

Based on an appraisal paid for by the private landowner, the land the federal government would receive is valued at \$836,000, and the land that it would give to the private landowner is valued at \$278,000. Under current law, the National Park Service is required to make a cash equalization payment to the private landowner for the difference in the appraisal. Thus, the cash equalization payment would be about \$560,000 to implement the bill. Making such a payment would be subject to the availability of appropriated funds.

H.R. 3786 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. H.R. 3786 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Julie Middleton. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

ACT OF OCTOBER 27, 1972

(Public Law 92-593)

AN ACT To establish the Glen Canyon National Recreation Area in the States of Arizona and Utah.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That in] SECTION 1. (a) In order to provide for public outdoor recreation use and enjoyment of Lake Powell and lands adjacent thereto in the States of Arizona and Utah and to preserve scenic, scientific, and historic features contributing to public enjoyment of the area, there is established the Glen Canyon National Recreation Area (hereafter referred to as the "recreation area") to comprise the area generally depicted on the drawing entitled "Boundary Map Glen Canyon National Recreation Area," numbered GLC-91,006 and dated August 1972, which is on file and available for public inspection in the office of the National Park Service, Department of the Interior. The

Secretary of the Interior (hereafter referred to as the “Secretary”) may revise the boundaries of the recreation area from time to time by publication in the Federal Register of a revised drawing or other boundary description, but the total acreage of the national recreation area may not exceed ~~one million two hundred and thirty-six thousand eight hundred and eighty acres~~ 1,256,000 acres.

(b)(1) In addition to the boundary change authority under subsection (a), the Secretary may acquire approximately 152 acres of private land in exchange for approximately 370 acres of land within the boundary of Glen Canyon National Recreation Area, as generally depicted on the map entitled “Page One Land Exchange Proposal”, number 608/60573a-2002, and dated May 16, 2002. The map shall be on file and available for public inspection in the appropriate offices of the National Park Service. Upon conclusion of the exchange, the boundary of the recreation area shall be revised to reflect the exchange.

(2) Before the land exchange under this subsection, the Secretary may enter into a memorandum of understanding with the person that will acquire lands from the United States in the exchange, to establish such terms and conditions as are mutually agreeable regarding how those lands will be managed after the exchange.

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